



ATTORNEY DOCKET NO. 053847-5003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Tohru ISHIZUYA, et al.)	
)	
Application No.: 10/676,733)	Group Art Unit: 2873
)	
Filed: October 2, 2003)	Examiner: Unassigned
)	
For: OPTICAL ELEMENT, THIN FILM)	
STRUCTURE, OPTICAL SWITCH, AND)	
METHOD OF MANUFACTURING)	
OPTICAL ELEMENT)	

Commissioner for Patents
Arlington, VA 22202

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of each listed document is attached

Applicant respectfully requests that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached form.

An International Search Report citing EP1004910, JP2001-350106 and JP2001-264651 and setting forth the relevance thereof is also enclosed for the Examiner's consideration.

The remaining non-English language references listed on the accompanying PTO-1449 can be understood as follows.

a. Japanese Patent Laid Open Publication No. 2001-042233. The relevance of this document is discussed at pages 1,2,3 of the specification of the present application and shown in the English-language abstract.

b. Japanese Patent Laid Open Publication No. 2001-142008. The relevance of this document is discussed at pages 2,3 of the specification of the present application and shown in the English-language abstract.

c. Japanese Patent Laid Open Publication No. 2002-023073. The relevance of this document can be understood from the attached translation.

d. WIPO Patent Laid Open Publication No. WO 03/060592A1. The relevance of this document is discussed is shown in the English-language abstract. This document is also the PCT application to which the present application claims benefit.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If it should be determined that the listed document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

A handwritten signature in black ink, appearing to read 'RJG', is written over a horizontal line.

Robert J. Goodell-Reg. No. 41,040

Date: February 9, 2004

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**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

PTO Form 1449

Attorney Docket No.

053847-5003

Serial No.

Unassigned

Applicants

Tohru ISHIZUYA, et al.

Filing Date

October 2, 2003

Group

Unassigned

U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	6,366,414	April 2, 2002	AKSYUK, et al.			
	6,532,093B2	March 11, 2003	SUN, et al.			
	6,195,478B1	Feb. 27, 2001	FOUQUET			

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub Class	Translation	
						YES	NO
	EP1004910A2	May 31, 2000	Europe				
	2001-350106	Dec. 21, 2001	Japan			Abstract	
	2001-264651	Sep. 26, 2001	Japan			Abstract	
	2001-42233	Feb. 16, 2001	Japan			Abstract	
	2001-142008	May 25, 2001	Japan			Abstract	
	2002-23073	Jan. 23, 2002	Japan			Yes	
	WO 03/060592A1	July 24, 2003	WIPO			Abstract	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	K. S. J. Pister et al., "Microfabricated Hinges", Sensors and Actuators A, vol. 33 1992, pp. 249-256.

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.